

# Land and Water Resources Council

## Minutes of the Meeting

March 23, 2006

Members present: George Lapointe, Commissioner of Marine Resources (DMR); Sue Inches (for Martha Freeman, Director, State Planning Office (SPO)); Ned Porter (for Commissioner, Department of Agriculture, Food, and Rural Resources (DAFRR)); Paul Jacques (for Roland Martin, Commissioner of Inland Fisheries and Wildlife (DIFW)); Andy Fisk (for David Littell, Commissioner, Department of Environmental Protection (DEP)); Bob Marvinney (for Pat McGowan, Commissioner, Department of Conservation (DOC)); and Chris Olson (for David Cole, Commissioner of Transportation)

Staff: Steve Timpano, DIFW; Kathleen Leyden, SPO; Deirdre Gilbert, DMR; Paula Thompson, SPO; Vanessa Levesque, SPO/DMR, and Todd Burrowes, SPO

**I. Welcome.** Commissioner Lapointe, serving as chair, welcomed those in attendance and opened the meeting.

**II. Minutes.** The Council unanimously approved the minutes of its December 8, 2005 meeting as drafted.

**III. Bay Management.** With reference to a previously distributed written summary, Deirdre Gilbert briefed the Council on the February 17<sup>th</sup> public meeting in Belfast at which stakeholders were invited to present their ideas on options for bay management in Maine. Ms. Gilbert indicated that the summary will be posted on the bay management project website. Ms. Gilbert further explained that the basic purpose of this meeting was to help identify options which merited additional, more detailed consideration as a study moved to its next phase, development of a range of potential bay management options.

In response to questions, Ms. Gilbert noted that small group discussions at the Belfast meetings, which focused on various topics, such as use of science in decision-making, were conducted in a manner that encouraged participants to indicate their priorities. Kathleen Leyden explained that, in an effort to keep the discussion manageable, meeting participants were encouraged to focus on near shore and water uses matters as opposed to land use matters. Vanessa Levesque pointed out that interest in more regional management, as contrasted with management solely at the municipal or state level, emerged as a common theme. Ms. Leyden noted that regional management, such as some form of regional council, is an option that staff intends to develop further in considering the potential range of bay management options. Commissioner Lapointe observed that state interests and responsibilities must receive adequate consideration in developing any recommendations that may encourage more local or regional management.

Kathleen Leyden outlined the next steps in the study process. Ms. Leyden proposed establishment of an ad hoc Council subcommittee to consult with staff as it

develops draft recommendations for the Council's consideration. Commissioner Lapointe, Andy Fisk and Sue Inches agreed to serve on the subcommittee. The Council agreed to formation of the subcommittee.

**IV. Ground Water Management Study.** Bob Marvinney briefed the Council on the status of this study effort. Mr. Marvinney explained that, following initial meetings aimed at ensuring a shared understanding of core information and issues, discussion is focused on changes to address potential gaps and otherwise improve the regulatory regime regarding ground water extraction. Mr. Marvinney explained that development of a watershed-based approach to management of ground water resources is a central theme, along with enhancement of coordination among state agencies and provision of additional guidance to municipalities.

Andy Fisk noted that it would be useful to identify opportunities to eliminate unnecessarily duplicative review. Commissioner Lapointe concurred in the value of examining a watershed-based approach. In light of interest expressed by the President of the Senate in revising Maine's "absolute dominion rule" for ground water, Andy Fisk suggested evaluating the relationship between that common law rule and any recommendations that are developed.

**V. Adjourn.** There being no further business, the chair adjourned the meeting.